### **ZONE CHANGE**

TO: Executive Secretary, Guam Land Use Commission c/o Land Planning Division, Department of Land Management Government of Guåhan, P.O. Box 2950, Hagatna, Guåhan 96932

	Government of Guåhan, P.C			2	
	The Undersigned owner(s)/le consideration for a <i>Zone Chan</i>	essee(s) of the followi	ng described	property hereby	1
1.	Information on Applicant:				
Name o	of Applicant:			U.S. Citizen: [] Ye	s []No
Mailing	Address:				
	one No.: Business				
	Location, Description and Own				
Subdiv	ision Name:				
Lot(s):		Block:	Tract:		
Lot Are	ea: Acres	Square Meters	Square	Feet:	
Village	:	Municipality:			
Registe	ered Owner:				
Certific	ate of Title No.:	Recor	ded Document	No.:	
3.	Current and Proposed Land U	se:			
Curren	t Use:			Zoned:	
Propos	sed Use:		Propos	sed Zone:	
Master	Plan Designation:				
4.	Attached a one page typed, br the proposed project with adjac purpose of the Zone Change re- welfare in accordance with <i>Guå</i>	ent and neighborhood dev quest justifying public n	velopments as t lecessity, publi	hey exist; your inte c convenience ar	ntions and did general
5.	Support Information. The follo	owing supporting information	on shall be attac	ched to this applica	tion:
	a. 8 1/2" X 14" map, drawn subject lot's boundaries.	to scale, showing existing	zoning within 1	000 feet radius from	n the
for your	HMENT: Section 61630 (Requirements information and guidance in preparation Land Planning Division.	s For Changes) and Section 610 ion of your Zone Change App	638 (Review by Mulication. For addit	inicipal Planning Cound ional requirements, vis	il is attached it the Zoning
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### **ZONE CHANGE**

### 5. Supporting Information (Continuation):

- b. All parcels and their uses within 750 feet radius from the subject lot's boundaries. The map shall also contain:
  - (1) Lot number for every parcel(s);
  - (2) Identify by name and use all existing activities on all parcel(s) through a legend/code reference;
  - (3) All adjacent inclusive and exclusive easements and roads to the property, their widths, and condition of surfaces;
  - (4) The nearest location of all public utilities to the subject lot;
  - (5) All natural or topographic peculiarities.
- c. 8 1/2" X 14" map, drawn to scale, showing all parcels within 500 feet radius of the subject lot's boundaries. Each parcel shall be identified with property lot number.
- d. The most recent survey map, certified and recorded at the Department of Land Management, showing the subject property.
- e. A detailed As-Built Plan of the lot shall include the following:
  - (1) Total number and types of building;
  - (2) Parcel size in square meters/feet;
  - (3) Layouts of utilities and drainage;
  - (4) Proposed lot coverage of building(s) and accessories in square meters/feet;
  - (5) Approximate gross and net densities allowed on parcel;
  - (6) Feasibility study;
  - (7) Topography;
  - (8) Existing earth faults and sinkholes;
  - (9) Water courses and lens;
  - (10) Reservation, conservation and historic places;
  - (11) Total percentage of open spaces exclusive of parking stalls and other man-man features:
  - (12) Percentage of building footprint (PD only); and
  - (13) Compatibility to surrounding uses (PD only).
- f. If leased, lease agreement (the assignment of lease and the covenant).
- g. An initial comprehensive *Environmental Impact Assessment (EIA)* in accordance with Executive Order 90-10.
- h. Additional information as required by the Guåhan Chief Planner

Submit one set of the Application with all the supporting information listed above. Once the Application is reviewed and accepted, applicant must submit the required number of hard copies (32 sets) of the Application and nine (9) copies of the Application in electronic format (example: in CD format, etc.)

**6. Filing Fee: Fifty Dollars (\$50.00)** filing fee for the first five pages, and \$.25 for any additional page, under Public Law 29-02, Chapter V, Part III (Fees and Charges Assessed by the Department of Land Management).

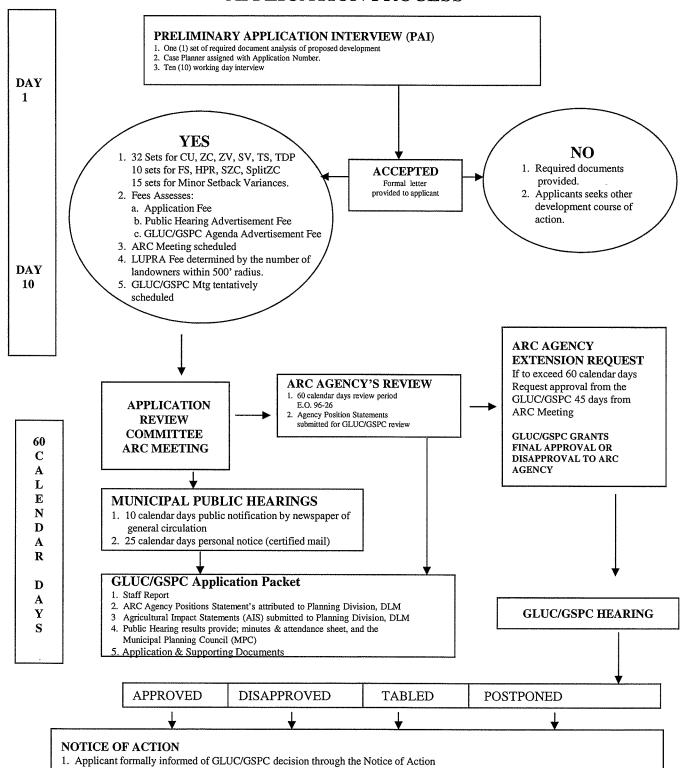
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7.	Required Signatures: All legal owners/lessee or handwritten, signed and dated:	es of designated parcel shall sign form with name(s) typed
corre Furth		ed in this application and its supplements is true and tion in this application shall void the entire submission. I required information is provided."
	(Owner(s) or I	Lessee(s) and Date)
	(Representati	ve, if any, and Date)
THIS F		ESENTATIVE SHALL SUBMIT IN PERSON, BY APPOINTMENT ONLY, I, DEPARTMENT OF LAND MANAGEMENT.
	FOR OFFIC	CIAL USE ONLY
	Date Accepted:	Accepted By:
	Date of Notice in Newspaper(s):	Date of Notice to Adjacent Property Owners:
	Date of Public Hearing:	
	Filing Fee(s) Paid (\$ ): Yes[] No[]	Check [ ] Cash [ ] Other [ ]
	Receipt No.:	Application Number:
	Date of GLUC Action:	Conditions: Yes [ ] (See Below) No [ ]
	Conditions of Approval:	
	GLUC Resolution No.:	Date of Notice of Action:
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### GUAM LAND USE COMMISSION **GUAM SEASHORE PROTECTION COMMISSION** APPLICATION PROCESS



- 2. If application is a Zone Change Approval; Application, NOA, and Zoning map submitted to Governor. Upon approval by Governor submit all Zone Change packet to DLM for recordation; after recordation DLM submit copies to Legislature and DPW.
- 3. Applicant is then informed as to status operations.

## (No Smaller than 4 FT X 8 FT Sign Board)

## **NOTICE TO REZONE\***

- \*1. Shall Occupy Two (2') Feet X Eight (8') Feet of the Sign Area
- \*2. Letters are to be Twelve (12") Inches High, Colored Red on a White Background
- 3. Sign Shall be Erected and Displayed in a Visible and Prominent Place on the Subject Site No Less than **Five (5) Days** after Application is filed with the Commission and Shall be Removed when the Commission Renders a Final Decision or Applicant Officially Withdraws the Application.

### **PUBLIC NOTICE**

# JC) FOR

AN APPLICATION HAS BEEN	I FILED WITH TH	IE GUAM LAND U	EN FILED WITH THE GUAM LAND USE COMMISSION (GLUC
	ZONE	ZONE CHANGE	
APPLICATION DESCRIPTION:			
OWNER:			
DEVELOPER:			
LOT, BLOCK, TRACT, MUNICIPALITY:			
PROPOSED CHANGE OF ZONE:			
	DATE:	TIME:	PLACE:
PUBLIC HEARING:			
GLUC MEETING:			

### Procedures for Placement of Mandatory Billboard for Public Notification

Effective Date: November 11, 2011

As Approved by the Office of the Guam Chief Planner

Division of Land Planning, Department of Land Management

The purpose for these following procedures is to clarify and standardize the requirement for the placement of public notice signs on the subject lots under review by the Guam Land Use Commission (GLUC) pursuant to 21GCA, Chapter 61, Zoning Laws, Part 3, Changes of Zones, Section 61633, Hearing Dates-Notice (for Zone Change Requests); Article 3, Section 61303(c) (for Conditional Use Permit Requests); Part 2, Appeals & Review, Section 61619, Hearing Date-Notice (for Zone Variance Requests). Applicants are instructed to review the following steps and procedures and acknowledge its contents and responsibilities. (This document shall be entered as a mandatory information and part of the filed application packet)

### A. SIZE DIMENSION AND SIGNAGE:

- 1. The Billboard shall maintain a dimension no smaller than 4 feet by 8 feet (as allowed in a standard-sized plywood board) with a **white background entirely**.
- 2. In that portion stating "NOTICE TO REZONE\*" shall be dominantly in English, shall use a letter font size no smaller than 12", and shall be in red. This portion of the sign shall take up no less than 2 feet by 8 feet and preferably on the upper half of the sign.
- 3. In that portion stating "PUBLIC NOTICE" shall be dominantly in English, shall use a letter font size no smaller than 8", and shall be in red.
- 4. In that portion stating "AN APPLICATION HAS BEEN FILED WITH THE GUAM LAND USE COMMISSION (GLUC) FOR A ZONE CHANGE" shall be dominantly in English, shall use shall use a letter font size no smaller than 4-6", and shall be in red.
- 5. In that portion providing: the title of the filed application; owner and name of the developer; the lot, block, and tract number of the subject lot; and the proposed change of zone, purposed variance, or proposed conditional use regarding the application, shall be dominantly in English, shall use a letter font size no smaller than 4-6", and shall be in either red or black.
- 6. In that portion providing: **the Date and Time for each Public or GLUC Hearing** shall be dominantly in English, shall use a letter font size no smaller than 4-6", and shall be in either **red or black**.
- 7. All characters and letters will be printed in legible and permanent media so as to prevent any possible degradation in material or context due to elements of nature.

Applicant Initials	·

### **B. PLACEMENT AND MAINTENANCE OF SIGNAGE:**

- The applicant shall not be restricted to the placement of one billboard advertisement of public notice, but shall opt to place additional billboard as may deemed necessary to insure public notification in accordance with applicable statues is achieved and may be applicable at the recommendation of the Guam Chief Planner.
- 2. The Billboard shall be erected and displayed in a visible and prominent place on the subject site no less than 5 days after the application has been filed with the Guam Land Use Commission or Guam Seashore Commission, whichever is applicable and in accordance to applicable statue.
- 3. Billboards shall be erected and in placed in a location within the subject lot(s) as to avoid any hindrance to pedestrian or vehicular travel. The billboard shall not be used for the purpose of hindering public access within a Public Right-of-Way.
- 4. When facing a roadway or in an area determined as the most obvious and visually accessible, such area where the billboard will be placed shall be free of any object, natural material, or any man-made or natural structure or form that would otherwise hinder visual access to the billboard. The applicant or his authorized agent shall be responsible for maintaining said area and sign for the duration of the application's review and assessment period and no later than one day after the GLUC/GSPC has rendered a final decision.
- 5. The applicant or his authorized agent shall be responsible for updating the billboard, particularly on **public hearing or GLUC/GSPC hearing dates.**

### C. OFFICIAL STAMP DATE PROOF OF PUBLIC NOTIFICATION:

In an effort to insure timely public notification of public or GLUC hearing dates, times, and venue the applicant or his authorized agent shall perform the following:

- 1. Upon notification of a confirmed and scheduled public or Commission hearing date, the applicant or his authorized agent shall enter such date(s) on the billboard no later than three days after being notified or as required under statute.
- 2. For the purpose of insuring proof new information has been added to the sign within the required timeline, the applicant or his authorized agent shall either:
  - a. Obtain a digital photograph of the billboard, obviously showing the entered date(s). The digital photograph shall then be sent to the application case planner via email or other electronic media. The date received via email or other electronic media shall serve as the <u>date stamp proof</u> in accordance with part 1a of this instruction; or
  - b. Obtain a still photograph of the billboard, obviously showing the entered date(s). The photograph shall then be brought to the office of the application case planner, either personally or by electronic means (i.e. electronically scanned then sent by

Procedures for Placement of Mandatory Billboard for Public Notification Page 3 of 3

### Procedures for Placement of Mandatory Billboard for Public Notification (con't)

email, facsimile, etc). The case planner shall then receive the photo(s) as the date stamp proof of the hearing date in accordance with part 12a of this instruction (in the event a facsimile is used, the case planner shall use the date received in faxed copy as *the date stamp proof*; otherwise,

c. When personally delivering the photo(s), the applicant or his authorized agent shall submit accordingly using the following form and context for the receipt and acknowledgement of <u>stamp date proof</u>.

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	acknowledgement of	<u>stamp date prooj</u> .			
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public notice sign as and updating of said appropriate public r use application as f	s described above and d sign as well meeting notice of all applicable iled with the Division	I that I am/we are rest the requirements of a public meeting and/ of Land Planning. I/	ements of the mandat sponsible for its installa all applicable statues r for hearing dates cond We understand that application or revocat	ation, mainten elative to prov erning my/ou any failure to	ance, /iding r land
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APPLICANT'S NAME	(PLEASE PRINT)	SIGNATURE		DATE	
	THE SERVICE OF SERVICE SERVICES				

### 21 GCA REAL PROPERTY CH. 61 ZONING LAW

### PART 3 CHANGES OF ZONES

§ 61630. Requirements for Changes.

§ 61631. Procedure.

§ 61632. Application-Form and Contents.

§ 61633. Hearing Date-Notice.

§ 61634. Decision by Commission.

§ 61635. Planned Development Districts.

§ 61636. Change of Zoning Map.

§ 61637. Agricultural Impact Statement.

§ 61638. Review by Municipal Planning Council.

§ 61639. Summary Procedure for Agricultural and Single Family

Residential Rezoning.

### § 61630. Requirements For Changes.

The Commission may, with the approval of the Governor, change the zones established under this Chapter whenever it finds that the public necessity, convenience and general welfare justify such action.

**SOURCE:** GC § 17600.

### § 61631. Procedure.

A proposed change may be initiated by the Commission or by an application directed to the Commission by any person owning or leasing real property within the area covered by the zone.

**SOURCE:** GC § 17601.

### § 61632. Application-Form and Contents.

An application for a change of zone shall be filed with the Commission upon a form and accompanied by such data and information as the Commission may prescribe.

**SOURCE:** GC § 17602.

### § 61633. Hearing Date-Notice.

Upon the filing of an application for change of zone, the Commission shall hold at least one hearing thereon in the municipal district where the property to be rezoned is located, as such districts are described in Chapter 40, 5 GCA Government Operations, notice of time and place of which shall be given at least one publication in a newspaper of general circulation, at least ten (10) days before the day of said hearing, and by mail to the Commissioner of the municipal district concerned, and to those landowners owning land within five hundred (500) feet of the property for which rezoning is requested, the mailing addresses for such landowners to be in the Real Estate Tax records.

**SOURCE:** GC § 17603 as amended by P.L. 10-158.

### § 61634. Decision by Commission.

The Commission shall consider the proposed change of zone and may approve or disapprove the same, in whole or in part. The Commission shall make its findings and determination within forty (40) days from the date of the hearing thereon and shall forward notice of such decision to the applicant, if any. If the application is approved in whole or in part by the Commission, the same shall be forwarded to the Governor who may approve or disapprove the proposed change in whole or in part.

**SOURCE:** GC § 17604.

### § 61635. Planned Development Districts.

A **PD** District enables the unified development of a substantial land area with such combination of uses as shall be appropriate to an integrated plan for the area. The procedure for establishing a PD District is the same as that for the rezoning of an area, providing that a detailed plan be submitted to and discussed with the Territorial Land Use Commission. The application shall be accompanied by the appropriate fee and the detailed plan, or revision thereof. The Territorial Land Use Commission may approve the detailed plan and rezoning, following the required hearing, upon findings that the plan, considering structures, uses, access, regulations and layout fixed in it, comprises:

- (a) An area of sufficient acreage to constitute a large planning unit having special attributes for integrated development;
- (b) An appropriate development of the area from the viewpoints of its natural features, location and suitability for particular uses;
- (c) A combination of structures and uses which are in reasonable association and proportion to make a harmonious unit and likely to continue compatibly with one another;
- (d) All structures, including accessory structures, shall not cover more than thirty percent (30%) of the area;
- (e) A project adequately serviced by the necessary public services, existing or proposed;
- (f) A project consistent with an appropriate development of adjacent areas and not unreasonably detrimental to the existing structures and uses in such areas; and
- (g) An appropriate evolution of the comprehensive plan for that portion of the territory.
- (h) All impermeable surfaces considered as a structure constituting gardens, sidewalks, fences, barrier walls, retaining walls, open air recreational facilities exposed to sunlight, swimming pools, and all subterranean structures located beneath grade and covered by earth shall be considered as an open area. In approving a detailed development plan, the Territorial Land Use Commission may impose such

regulations of yards, open space, lot coverage, density, and height as are reasonably required to permit the foregoing findings.

**SOURCE:** GC § 17605. Subsection (h) added by P.L. 27-24:9 (7/18/2003).

### § 61636. Change of Zoning Map.

Any changes of zones or approval of comprehensive community plan pursuant to this Chapter shall be endorsed and delineated upon the Zoning Map and shall constitute an amendment of said map.

**SOURCE:** GC § 17606.

### § 61637. Agricultural Impact Statement.

No additional land may be established as a rural zone and no land presently zoned A may be rezoned without the Commission first having considered an agricultural impact statement which shall be submitted by the Director of the Department of Agriculture. This statement shall provide a detailed statement of:

- (a) The agricultural impact of the proposed rezoning upon the agricultural components of the Guam Master Plan.
- (b) Any adverse conservation or agricultural effects which cannot be avoided should the rezoning be approved.
- (c) The Director's opinion whether said rezoning should be approved and reasons therefor.

**SOURCE:** GC § 17607 enacted by P.L. 12-208.

### § 61638. Review by Municipal Planning Council.

The Municipal Planning Council of each municipal district to be affected by a proposed zone change shall within forty (40) days from the date of a public hearing held thereon by such council express its opinion thereon by resolution adopted by the majority of its members. Such resolution shall be forwarded to the Governor for his consideration thereof pursuant to § 61634 within twenty (20) days from the date of its adoption.

**SOURCE:** Added by P.L. 20-217:5.